

AMENDED

APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... JAN 7 1976  
Returned to applicant for correction..... FEB 5 1976  
Corrected application filed..... APR 7 1976  
Map filed..... APR 7 1976

The applicant..... Richard E. Kephart and Mari  
Diamond Valley Rt....., of Eureka  
Street and No. or P.O. Box No. City or Town  
Nev 89316  
State and Zip Code No.  
....., hereby make..... application for permission to appropriate the public  
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-  
tion; if a copartnership or association, give names of members.).....

1. The source of the proposed appropriation is..... underground  
Name of stream, lake or other source.
2. The amount of water applied for is..... 2.7 ..... second-feet  
One second-foot equals 448.83 gals. per min.  
(a) If stored in reservoir give number of acre-feet..... acre-feet
3. The water to be used for..... Irrigation & Domestic  
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:  
(a) Irrigation (state number of acres to be irrigated)..... 160  
(b) Stockwater (state number and kinds of animals to be watered).....  
(c) Other use (describe fully under "No. 12. Remarks").....  
(d) Power:  
(1) Horsepower developed.....  
(2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point:..... SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 33, T22N  
R54E, MDM, at a point from which the NE corner of said Section 33  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
bears N 44° 57' E. 1880 feet  
it should be stated.
6. Place of use..... NE $\frac{1}{4}$  Section 33, T.22N., R.54E., M.D.B. & M.  
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about..... Jan. 1 ..... and end about..... Dec. 31 ..... of each year.  
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.)..... well, pump, sprinkler system  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works.....\$25,000
- 10. Estimated time required to construct works.....5 yrs
- 11. Estimated time required to complete the application to beneficial use.....5 yrs.
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant Richard E. & Mari Kephart

By.....s/ William A. Nisbet  
Agent  
421 Court  
Elko, Nevada 89801

Compared bs/jw lk/jw

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A substantial weir or other type of measuring device must be installed and measurements of water use kept. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.7 cubic feet per second but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

- Actual construction work shall begin on or before.....February 18, 1977
- Proof of commencement of work shall be filed before.....March 18, 1977
- Work must be prosecuted with reasonable diligence and be completed on or before.....February 18, 1978
- Proof of completion of work shall be filed before.....March 18, 1978
- Application of water to beneficial use shall be made on or before.....February 18, 1981
- Proof of the application of water to beneficial use shall be filed on or before.....March 18, 1981
- Map in support of proof of beneficial use shall be filed on or before.....March 18, 1981

Commencement of work filed.....MAR 8 1977  
Completion of work filed.....JAN 9 1978  
Proof of beneficial use filed.....SEP 26 1984  
Cultural map filed.....OCT 15 1981  
Certificate No. 11107 Issued FEB 7 1985  
Recorded.....Bk 38 Page.....  
County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of August, A.D. 1976.